

REMARKS

Claims 1-3, 16, 33-35, 43 and 53-63 were pending in the subject application. By this Amendment, applicants have canceled claims 1-3, 16, 33-35, 43 and 53-63 without disclaimer or prejudice to applicants' right to pursue this subject matter in the future, and have added new claims 64-88. Accordingly, upon entry of this Amendment, claims 64-88 will be pending.

Applicant maintains that the addition of new claims 64-88 raise no issue of new matter. Support for new claims 64-66, 68 and 70 may be found inter alia in the specification, as originally-filed, on page 20, line 1 through page 25, line 1; page 148, lines 26-32; page 149, lines 1-10 and 23-35; and page 169, line 4 through page 170, line 14. Support for new claim 67 may be found inter alia in the specification, as originally-filed, on page 167, lines 23-30 and page 168, lines 25-30. Support for new claim 69 may be found inter alia in the specification, as originally-filed, on page 60 line 11 through page 61, line 6. Support for new claim 71 may be found inter alia in the specification, as originally-filed, on page 167, lines 23-30 and page 168, lines 25-30. Support for new claims 72-88 may be found inter alia in the specification, as originally-filed, on page 25, lines 4-14 and page 63, line 29 through page 65, line 21.

Accordingly, applicant maintains that this amendment is fully supported by the disclosure. Applicant therefore respectfully requests that the Examiner enter this Amendment.

ELECTION/ RESTRICTION

On page 2 of the Office Action, the Examiner required restriction to one of the following allegedly independent and distinct inventions under 35 U.S.C. § 121:

Mohammad R. Marzabadi, et al.  
U.S. Serial No.: 10/009,849  
Filed: April 11, 2002  
Page 11

1. Claims 1-3, 43 and 53-55, drawn to triazine compounds, compositions and method of use, classified in class 544, subclasses 196, 204, 206, 217, class 514, subclass 241.
2. Claims 16, 33-35 and 56-60, drawn to thiazole or oxazole compounds along with the tricyclic analogs, compositions and method of use, classified in class 548, subclasses 182, 150, 217, 225, class 514, subclasses 432, 437, 468 and 473.
3. Claims 16, 33-35 and 56-60, drawn to imidazole compounds along with the tricyclic analogs, classified in class 548, subclasses 302.1, 311.4, class 514, subclasses 390 and 393.

In response to this restriction requirement, applicants' undersigned attorney, on behalf of applicants, hereby elect, with traverse, to prosecute the invention of Examiner's Group II, drawn to thiazole or oxazole compounds along with the tricyclic analogs, compositions and method of use, classified in class 548, subclasses 182, 150, 217, 225, class 514, subclasses 432, 437, 468 and 473. Applicants note that new claims 64-88 are directed to the invention of Group II, thiazole or oxazole compounds along with the tricyclic analogs.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Mohammad R. Marzabadi, et al.  
U.S. Serial No.: 10/009,849  
Filed: April 11, 2002  
Page 12

No fee, other than the enclosed fee of \$200.00 for the one month extension of time and five additional claims, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

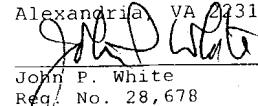
Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Ave of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

 2/17/04  
John P. White Date  
Reg. No. 28,678